

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION**

LOUANN BACKLUND,	)	<b>CIVIL ACTION NO.</b>
	)	<b>3:12-cv-00644-GCM</b>
Plaintiff,	)	
	)	
vs.	)	<b>PLAINTIFF’S MOTION FOR</b>
	)	<b>DEFAULT JUDGMENT</b>
B & T FINANCIAL SERVICES, LLC,	)	
THOMAS CLARK, and BARBARA	)	
SISCO,	)	
	)	
Defendants.	)	
_____	)	

Plaintiff, Louann Backlund (“Plaintiff”), by and through her attorneys, Weisberg & Meyers, LLC, hereby moves this honorable Court for an Order of Default Judgment against Defendants, B & T Financial Services, LLC, Thomas Clark, and Barbara Sisco (collectively, “Defendants”), as provided by Rule 55(b)(2) of the Federal Rules of Civil Procedure, in the amount of five thousand fifteen dollars (\$5,015.00), based upon the Declaration of Plaintiff’s counsel, Holly E. Dowd attached hereto, and for the reasons set forth below. Plaintiff asks that judgment bear interest at the judgment rate from the date of entry until paid, as well as any additional relief this court deems necessary and proper. Plaintiff does not request a hearing on damages.

This Court should enter Default Judgment against Defendants, and in favor of Plaintiff, because:

1. The Clerk of this Court entered Default against Defendants on June 12, 2013 (Doc. 08)
2. Defendants have not appeared in this action, and are not entitled to notice of

this Motion for Default Judgment, although same is being provided.

3. The Complaint in this action sets out valid claims for statutory damages under the Fair Debt Collection Practices Act (“FDCPA”), 15 U.S.C. § 1692(k)(a)(2)(A), and the North Carolina Collection Agency Act (“NCCAA”), N.C. Gen. Stat. § 58-70-130(b). By virtue of the entry of Default on June 12, 2013, Defendants may not challenge any of the factual allegations supporting those claims.
4. Defendants are neither infants, nor incompetent persons, within the meaning of Rule 55(a) of the Federal Rules of Civil Procedure.
5. Defendants are not currently serving in the military as defined in the Solder’s and Sailor’s Civil Relief Act of 1940 (50 U.S.C. § 520).
6. This motion is based upon all pleadings and papers on file in this action, the Clerk’s Entry of Default, and whatever other evidence the Court requests.

Accordingly, Plaintiff seeks an Entry of Default against Defendants B & T Financial Services, LLC, Thomas Clark, and Barbara Sisco in the amount of five thousand fifteen dollars (\$5,015.00), representing statutory damages in the amount of one thousand dollars (\$1,000.00), 15 U.S.C. § 1692(k)(a)(2)(A), three thousand five hundred dollars (\$3,500.00) in attorneys’ fees and five hundred fifteen dollars (\$515.00) for court costs in accordance with 15 U.S.C. § 1692(k)(3).

Dated: June 18, 2013.

Respectfully submitted,

/s/ Holly E. Dowd  
Holly E. Dowd (N.C. Bar No. 37533)  
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ATTORNEYS FOR PLAINTIFF

*Please send correspondence to the address below*

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***Weisberg & Meyers, LLC***  
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Phoenix, AZ 85012

### **CERTIFICATE OF SERVICE**

I, Christopher Bruner, declare under penalty of perjury that I have served copies of Plaintiff's Motion for Default Judgment, Declaration of Holly E. Dowd, and Proposed Order Granting Plaintiff's Motion for Default Judgment upon Defendants, whose addresses are:

B & T Financial Services, LLC  
c/o: National Registered Agents, Inc.  
120 Penmarc Dr. Ste. 118  
Raleigh, NC 27603

Thomas Clark  
14025 Bromfield Road  
Germantown, MD 20874

Barbara Sisco  
14025 Bromfield Road  
Germantown, MD 20874

by depositing true copies of same in post-paid, properly addressed wrappers in an official depository under the exclusive care and custody of the United States Postal Service within the State of Arizona.

Dated: June 18, 2013

By: s/ Christopher Bruner  
Christopher Bruner